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LETTER DATED 14 JUNE 1993 FROM THE PERMANENT REPRESENTATIVE OF CUBA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you of the views of my Government regarding the proposal, now before the Security Council, to adopt a draft resolution which would impose an oil and arms and munitions embargo against the de facto military regime which usurped power in Haiti in 1991.

We are of the view that there is, first and foremost, a need to conduct a serious, in-depth review of the origins of the issue and the developments which have led to the current situation.

Attempts to involve the Council in Haiti's problems are not new. As long ago as September 1990, when the then provisional Government of Haiti sought assistance, including advisers, observers and security experts, in the conduct of the electoral process that subsequently resulted in the election victory of His Excellency Mr. Jean-Bertrand Aristide, today the constitutional President of Haiti, repeated efforts were made to secure Security Council authorization of such assistance.

On that occasion the Group of Latin American and Caribbean States, in a letter to the Secretary-General, stated that the unanimous opinion of the Group had always been that the assistance to Haiti was not an issue related to international peace and security and could not come under the aegis of the Security Council. Further, my delegation, then a member of the Security Council, had the honour, on 12 September 1990, to address the President of the Council, stating that in that connection, it wished to point out that the matter did not fall within the competence of the Security Council since it was an internal affair of Haiti which, moreover, did not affect international peace and security.

Subsequently, in 1991, with the occurrence of the coup d'état which installed a cruel, illegal and unconstitutional Government in Haiti, obliging President Aristide to flee into exile, there were further attempts to involve the Security Council in the question.

On both occasions, pursuant to the Charter of the United Nations, it was determined that it was the General Assembly that was responsible for action in the matter: firstly, the approval of electoral assistance for Haiti, and,

secondly, support for the measures taken by the appropriate regional organization in accordance with its constituent Charter. Since then the General Assembly has continued to review systematically the question of Haiti and the various measures taken to bring about the return to the country of the constitutional President, Jean-Bertrand Aristide.

The Republic of Cuba, one of Haiti's closest neighbours, was among the first to vigorously condemn the coup d'état of December 1991, and has systematically provided forthright support for action intended to secure the return of President Aristide to the country as the means of restoring the constitutional order which the Haitian people themselves opted for through the ballot box, in the only genuinely popular elections held in Haiti in this century.

Yet it should not be overlooked that the predilection of the Haitian armed forces for coups d'état is not home-grown, as was also true, by all appearances, of the coup d'état that deposed President Aristide. The foreign presence in Haiti, overt or covert, has been a constant element in the history of the country, and in every case has resulted in the establishment of military governments which have drowned the legitimate aspirations of the Haitian people in blood and violence.

Neither should the reasons why the sanctions imposed by the appropriate regional organization have not produced any result be overlooked. The question arises of how it can have happened that some of those who today are urging the Security Council, in blatant violation of the provisions of the Charter, to consider the question of Haiti, have not been able to act in such a way that the sanctions produced the desired results and the de facto military regime failed to consolidate its power, although they have been able to take action to prevent many thousands of Haitians from escaping from the barbaric regime imposed by the military forces.

The question also arises of the true objectives of some of those who claim to be the proponents of a return to constitutional order in Haiti, and of whether they are equally supportive of the return of President Jean-Bertrand Aristide, he being a genuine representative of the Haitian people and not of those other forces active in the complex circumstances today attending that Caribbean country.

The various texts which have recently been circulating unofficially in the ambit of the Council and which apparently advance the thrust of the draft resolution soon to be submitted to the Security Council make particular reference to the impact of the question of the Haitian refugees on international peace and security in the region and add that the continuance of the situation threatens international peace and security in the region. Cuba, as one of Haiti's closest neighbours, has received thousands of refugees from this long-suffering country, perhaps more than any other State of the region, and has never considered that this flow threatened peace and security in the geographical area in which it is situated, but has viewed it as a purely humanitarian question which must be resolved, as it has been doing to date, through the international organizations and bodies which deal with refugees and displaced persons. Accordingly, in the view of my Government, this question does not fall within the mandate accorded the Security Council under the Charter.

Cuba, with all its might, advocates a return of constitutional order in Haiti, and of its sole legitimate representative, President Aristide. This does not, however, prevent a categorical repudiation by Cuba of the adoption of measures concerning the internal situation of Haiti by the Security Council, whose primary responsibility, as set forth in Article 24 of the United Nations Charter, is the maintenance of international peace and security, a context which does not embrace the situation prevailing in Haiti, however many pretexts are advanced in an effort to demonstrate the contrary. In the view of Cuba the actions today being sought of the Council, in addition to being illegal under the Charter, establish a dangerous precedent which only serves to buttress the repeated attempts to extend the authority and mandate of the Security Council beyond those laid down in the Charter.

Lastly, Sir, I wish to transmit our best wishes for the people of Haiti and their constitutional authorities headed by President Aristide and our hope that the aspirations of those who, rightly or not, have placed their trust in the initiative being undertaken by the Council, will not be deceived, as, regrettably, has often been true in the final outcome of many Council initiatives.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Alcibiades HIDALGO BASULTO
Ambassador
Permanent Representative